

REMARKS

This is in response to the final Office Action mailed on July 2, 2007, in which all of the pending claims (1, 4-6, 8-12, 15, 16, 18, 19, 21 and 27-38) were rejected. Specifically, all of the claims were rejected under 35 U.S.C. 112, second paragraph as being indefinite, and under 35 U.S.C. 103(a) as being unpatentable over Bridgelall (USP 7,039,027) in view of Schilling et al. (USP 6,314,126) and Qing-An (USP 6,529,733). Claims 8, 37 and 38 were also objected to for various informalities.

Claim Objections

Claim 8 was objected to for including the text “comprising steps.” With this Amendment, claim 8 is amended to instead recite “comprising the steps of” as suggested by the Examiner

Claims 37 and 38 were objected to for depending on canceled claim 13. With this Amendment, claims 37 and 38 are canceled without prejudice.

Claim Rejections – 35 U.S.C. 112

Claims 1, 4-6, 8-12, 15, 16, 18, 19, 21 and 27-38 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Specifically, multiple antecedent issues were pointed out for independent claims 1 and 8. With this Amendment, claims 1 and 8 are amended to correct these antecedent issues, and the rejection of claims 1, 4-6, 8-12, 15, 16, 18, 19, 21 and 27-36 under 35 U.S.C. 112 should accordingly be withdrawn. Claims 37 and 38 are canceled without prejudice.

Claim Rejections – 35 U.S.C. 103

Claims 1, 4-6, 8-12, 15, 16, 18, 19, 21 and 27-38 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bridgelall (USP 7,039,027) in view of Schilling et al. (USP 6,314,126) and Qing-An (USP 6,529,733).

Independent claims 1 and 8 recite that a dual distance terminal transmits a beacon signal through a dual distance network server to the destination network to which the dual distance terminal is switched. In rejecting these claims, the Examiner contended that the Qing-An patent teaches “a method of controlling handoff in a cellular communication system, wherein a mobile station transmits to a base station, a handoff request including a reception signal intensity value (i.e. reads on a beacon signal) corresponding to the mobile terminal (see col. 11, lines 2-6).

It is respectfully submitted that the Examiner's contention that the Qing-An patent discloses a (mobile) terminal transmitting a beacon signal is incorrect. The system disclosed by the Qing-An patent involves a mobile terminal periodically measuring the reception signal intensity in regular communications with a base station. See, e.g., col. 3, lines 26-29, col. 6, lines 46-48. The measured reception signal intensity is notified to the base station with which the terminal is currently communicating, which shares this notification with other base stations in the network. See col. 6, lines 48-57. When the reception signal intensity reaches a predetermined handoff threshold level, the mobile terminal transmits a handoff request to the base station with which the terminal is currently communicating. See col. 10, lines 54-57. That base station transmits the handoff request to other base stations in the network. See col. 10, lines 57-61.

Independent claims 1 and 8 recite “the dual distance terminal transmits a beacon signal through the dual distance network server to a destination network to which the dual distance terminal is switched.” By contrast, the Qing-An patent discloses only transmission of a handoff request to the base station with which the terminal is communicating, and includes no disclosure of a beacon signal transmitted to a destination network to which a terminal is to be switched.

Moreover, claims 1 and 8 recite that the dual distance terminal determines the service queue position or priority which the dual distance terminal is arranged in the destination network to which the dual distance terminal is switched based on its service level. This is achieved by an indication in the beacon signal transmitted to the destination network, so that the service queue position or priority which the dual distance terminal is arranged in the destination network is determined according to the service level indication included in the beacon signal. The allows

switching between networks to be much more smooth than would be achieved in the system disclosed by the Qing-An patent, which determines a queue sequence without regard for service level, based on a calculated relative change of reception signal intensity.

In order to reject a claim under 35 U.S.C. 103 as being obvious, all of the claim limitations must be taught or suggested by the prior art. See M.P.E.P. 2143.03, citing In re Royka, 180 U.S.P.Q. 580 (C.C.P.A. 1964). In this case, amended claims 1 and 8 each recite that the dual distance terminal transmits a beacon signal through a dual distance network server to the destination network to which the dual distance terminal is switched when switching between long and short distance communication networks is requested, and that the terminal determines the service queue position or priority which the dual distance terminal is arranged in the destination network to which the dual distance terminal is switched based on its service level. Neither the Bridgelall patent (which was not cited for these teachings), the Schilling et al. patent (which was not cited for these teachings), nor the Qing-An patent (for the reasons discussed above) teaches or suggests these limitations, nor does any other reference of record. Therefore, the rejection of claims 1 and 8 under 35 U.S.C. 103(a) should be withdrawn.

Claims 4-6, 9-12, 15, 16, 18, 19, 21 and 27-36 depend from amended independent claims 1 and 8, and are allowable therewith. In addition, it is respectfully submitted that the combinations of features recited in claims 4-6, 9-12, 15, 16, 18, 19, 21 and 27-36 are patentable on their own merits, although this does not need to be specifically addressed herein since any claim depending from a patentable independent claim is also patentable. See M.P.E.P. 2143.03, citing In re Fine, 5 U.S.P.Q.2d (BNA) 1596 (Fed. Cir. 1988).

With this Amendment, claims 37 and 38 are canceled without prejudice, thereby rendering moot their rejection.

Entry of Amendment After Final Rejection

This Amendment merely cancels claims and makes amendments to the claims to comply with suggestions by the Examiner to overcome objections to the claims and rejections of the

claims under 35 U.S.C. 112. As such, entry and consideration of this Amendment after final rejection is proper under 37 C.F.R. 1.116.

CONCLUSION

In view of the foregoing, allowance of all the pending claims (1, 4-6, 8-12, 15, 16, 18, 19, 21 and 27-36) is respectfully requested. If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned attorney to attend to these matters.

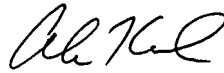
Respectfully submitted,

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